

REMARKS

Amendments to claims 34, 43, 54, and 64 are to correct antecedent basis. No new matter has been added. Also, Applicant respectfully notes that the claim status indicator for claim 40 was incorrectly labeled as “Canceled,” and has been corrected herein. Thus, with entry of this amendment, claims 34, 35, 38-40, 42-44, 47-49, 54, and 64 should be in condition for allowance.

Title

In the Notice of Allowance, the title is stated as “Tissue dissector apparatus.” However, Applicant respectfully notes that the title of the application should be “Tissue dissector apparatus and method” (See originally filed application).

Reasons for allowance

Applicant wishes to thank the Examiner for allowing the subject application. According to the Notice of Allowance, claim 64 is allowable because no references disclose or suggest “a tissue dissector, comprising: a distal tip has tapered outer walls converging to a blunt end, a length of screw threads positioned on an outer surface of a cannula proximal to the distal tip, a dilating element disposed on the cannula proximal to the distal tip, the dilating element has a smooth oval shaped exterior contour symmetrically disposed about the central axis, and where the dialting element further comprises a threaded bore hole formed in the dilating element for engaging the length of screw threads on the cannula, in combination with the rest of the claimed limitations as set forth” in claim 64.

However, Applicant wishes to clarify that claim 64 actually recites:

A tissue dissector, comprising:
an elongated cannula having a proximal end and a distal end; and
a dilating unit removably mounted on the cannula distal end,
including:

a distal tip having tapered outer walls converging to a blunt end for dissecting tissue, the tip being disposed on the distal end of the dilating unit to dissect tissue and facilitate passage of the cannula through tissue; and

a dilating element having an oval shape of cross-sectional dimension greater than a cross-sectional dimension of the distal end of the cannula and greater than a cross-sectional dimension of the distal tip, the dilating element being located proximally with respect to the distal tip to facilitate expansion of tissue following dissection by the tapered distal tip passing through tissue, the cannula further including a length of screw threads positioned on an outer surface of the cannula near the distal end thereof, and wherein the dilating unit further comprises a threaded bore hole for engaging the length of screw threads and mounting the dilating unit on the distal end of the cannula.

Thus, claim 64 should be allowable for what it actually recites. Also, the remaining claims should be allowable for what they actually recite.

CONCLUSION

If the Examiner has any questions or comments regarding this amendment, the Examiner is respectfully requested to contact the undersigned at the number listed below.

The Commissioner is authorized to charge any fees due in connection with the filing of this document to Vista IP Law Group's Deposit Account No. **50-1105**, referencing billing number **MAQ 06-00550US03**. The Commissioner is authorized to credit any overpayment or to charge any underpayment to Vista IP Law Group's Deposit Account No. **50-1105**, referencing billing number **MAQ 06-00550US03**.

Respectfully submitted,

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